

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARTHUR G. WIDMAN, II,

Defendant.

Case No. 00-cr-30008-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Defendant's Motion to Vacate (Doc. 33). On March 31, 2008, this Court entered an Order (Doc. 32) granting Defendant's Motion to Reduce Sentence (Doc. 31), pursuant to **18 U.S.C. § 3582**, based upon the retroactive applications of the Federal Sentencing Guidelines to Crack Cocaine. However, as the instant Motion indicates, due to an inadvertent oversight, the filing of Defendant's Motion to Reduce (Doc. 31) in this case was "erroneous." The substance of the Motion was correct, but the Motion was filed in the wrong case – it should have been filed in Case No. 03-cr-30081-DRH, *United States v. Widman*, instead of this case, which bears a similar case number and caption. The Court's Order, therefore, was also entered under the incorrect case number. However, the Order has been implemented, as it is proper in relation to Defendant's case 03-cr-30081-DRH.

Defendant thereby seeks the Court to vacate its March 31, 2008 Order (Doc. 32), having now also contemporaneously has filed another Motion to Reduce under the appropriate case (Case No. 03-cr-30081-DRH). For good cause, the Court recognizes that the Motion to Reduce filed in the instant case (Doc. 31) was filed under the incorrect case number and thus, the March 31, 2008 Order (Doc. 32) is hereby **STRICKEN** and should be **VACATED** from the record.

IT IS SO ORDERED.

Signed this 13th day of May, 2008.

/s/ David R. Herndon

Chief Judge
United States District Court